

MHN

FILED
 8-6-2008
 AUG 06 2008
 AUG 06 2008
 MICHAEL W DOBBINS
 CLERK, U.S. DISTRICT COURT

IN THE
 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA ex rel.)

CORTEZ JONES R-26113)
 PETITIONER,)

vs.)

TERRY McCANN, (WARDEN))
 RESPONDENT,)

ATTORNEY GENERAL OF THE STATE)
OF ILLINOIS)

HABEAS CORPUS PETITION

CASE NUMBER OF STATE COURT

CONVICTION 00CR5388

08CV4429

JUDGE ZAGEL

MAGISTRATE JUDGE BROWN

MOTION TO STAY OF STATE COURT PROCEEDING

Petitioner, Cortez Jones, respectfully request this Honorable Court to grant his, pro-se, Motion to Stay of State Proceeding pursuant to §2251 and Hold in abeyance the instant proceeding until the petitioner's Successive Post-Conviction Petition is resolved in State Court Proceedings. In support of this Motion the petitioner avers the following;

1. Petitioner, Cortez Jones, filed an pro-se Successive Post-Conviction Petition in the Circuit Court of Cook County, Illinois on Nov. 5, 2007.

2. On 1/11/08 the Circuit Court denied petitioner's Successive Post-Conviction.

3. Petitioner was not informed of the courts dismissal of his successive post-conviction petition and filed a Motion for Late Notice Of Appeal in the Appellate Court, State of Illinois, First District.

4. On July 15, 2008, the Appellate Court granted petitioners Motion for late Notice Of Appeal and appointed Appellate Counsel to represent him on appeal.

Petitioner respectfully request that this Honorable Court to Stay and Hold this proceeding in abeyance until his Successive Post-Conviction Petition is fully and properly exhausted in the state courts.

/s/ CORTEZ JONES